



## ATTENTION

Probate cases on this calendar are currently under review by the probate examiners. Review of some probate cases may not be completed and therefore have not been posted.

If your probate case has not been posted please check back again later.

Thank you for your patience.

**Fourth Account and Report by Valerie Vasquez, Trustee; Petition for Settlement;  
Approval and Allowance of Trustee's and Attorneys' Fees; Petition for Dispensing with Future Accountings**

			<b>VALERIE VASQUEZ</b> , Trustee, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>Note:</b> If petition is granted, Court will set status hearing as follows:  <ul style="list-style-type: none"> <li><b>Wednesday, August 23, 2017 at 9:00 a.m. in Dept. 303</b> for filing of the fifth account.</li> </ul> Pursuant Local Rule 7.5, if the documents noted above are filed 10 days prior to the dates listed, the hearings will be taken off calendar and no appearance will be required.
			<b>Account period: 6/1/2012 – 5/31/2015</b>	
			Accounting - <b>\$182,022.88</b>	
			Beginning POH - <b>\$151,815.63</b>	
			Ending POH - <b>\$150,409.06</b> (\$5,360.96 is cash)	
<b>Cont. from 021016</b>			Trustee - <b>\$1,000.00</b> (less than .05% of value of assets as authorized)	
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>		Attorney - <b>\$2,000.00</b> (per Declaration and itemization; less than itemized fees of \$2,925.00 for 9 hours @ \$325/hour)	
<input checked="" type="checkbox"/>	<b>Verified</b>		Costs - <b>\$200.00</b> (filing fee)	
<input type="checkbox"/>	<b>Inventory</b>		Bond - <b>\$147,100.00</b>	
<input type="checkbox"/>	<b>PTC</b>		<b>Petitioner prays for an Order:</b>	
<input type="checkbox"/>	<b>Not.Cred.</b>		1. Approving, allowing and settling the Fourth Account and Report;	
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>		2. Approving all acts and transactions of the Trustee as shown by this account and report;	
<input checked="" type="checkbox"/>	<b>Aff.Mail</b>	W/	3. Authorizing the Trustee commissions and Attorney fees;	
<input type="checkbox"/>	<b>Aff.Pub.</b>		4. Authorizing reimbursement to attorney of costs advanced.	
<input type="checkbox"/>	<b>Sp.Ntc.</b>			
<input type="checkbox"/>	<b>Pers.Serv.</b>			
<input type="checkbox"/>	<b>Conf. Screen</b>			
<input type="checkbox"/>	<b>Letters</b>			
<input type="checkbox"/>	<b>Duties/Supp</b>			
<input type="checkbox"/>	<b>Objections</b>			
<input type="checkbox"/>	<b>Video Receipt</b>			
<input type="checkbox"/>	<b>CI Report</b>			
<input type="checkbox"/>	<b>9202</b>			
<input checked="" type="checkbox"/>	<b>Order</b>			
<input type="checkbox"/>	<b>Aff. Posting</b>			
<input type="checkbox"/>	<b>Status Rpt</b>			
<input type="checkbox"/>	<b>UCCJEA</b>			
<input type="checkbox"/>	<b>Citation</b>			
<input type="checkbox"/>	<b>FTB Notice</b>			

<b>Reviewed by: KT</b>
<b>Reviewed on: 3/11/16</b>
<b>Updates:</b>
<b>Recommendation:</b>
<b>File 1- Moreno</b>

## Petition for Order Fixing and Allowing Court-Appointed Attorneys' Fees

<b>Age: 90</b>		<b>DEBORAH K. BOYETT</b> , Court Appointed attorney for Conservatee, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		Petitioner is also the guardian ad litem for Mrs. Bingham in relation to the Byrum C. and Wanda H. Bingham Family Trust, and subtrusts thereunder.	
	<b>Aff.Sub.Wit.</b>	Petitioner requests fees in connection with the various issues described in the petition for the period of 2/17/15 through 12/14/15.	
✓	<b>Verified</b>		
	<b>Inventory</b>	Petitioner asks that she be paid \$7,771.50 for 28.50 hours as itemized in Exhibit A, plus \$435.00 for filing.	
	<b>PTC</b>		
	<b>Not.Cred.</b>		
✓	<b>Notice of Hrg</b>		
✓	<b>Aff.Mail</b>	w	
	<b>Aff.Pub.</b>		
	<b>Sp.Ntc.</b>		
	<b>Pers.Serv.</b>		
	<b>Conf. Screen</b>		
	<b>Letters</b>		
	<b>Duties/Supp</b>		
	<b>Objections</b>		
	<b>Video Receipt</b>		
	<b>CI Report</b>		
	<b>9202</b>		
✓	<b>Order</b>		
	<b>Aff. Posting</b>		<b>Reviewed by:</b> skc
	<b>Status Rpt</b>		<b>Reviewed on:</b> 3/11/16
	<b>UCCJEA</b>		<b>Updates:</b>
	<b>Citation</b>		<b>Recommendation:</b>
	<b>FTB Notice</b>		<b>File 2- Bingham</b>

**3 Robert J. Johansen (CONS/PE) Case No. 11CEPR01121****Attorney Amador, Catherine A (for Sharon Shields and Linda K. Babcock – Conservators)****Probate Status Hearing Termination of proceeding for deceased conservatee**

<b>DOD: 02/22/2014</b>	<b>SHARON SHIELDS</b> , was appointed Conservator of the Person with medical consent powers and dementia medication and placement powers on 02/21/2012. <b>LINDA K. BABCOCK</b> , Step-Daughter, was appointed Conservator of the Estate with bond set at \$127,600.00 on 02/21/2012.  Letters issued on 09/10/2012.  Notice of Status Hearing filed 08/24/2015 set this Status Hearing for Termination of Proceeding for Deceased Conservatee.  Notice of Status Hearing filed 08/24/2015 shows notice was mailed to Sharon Shields, Linda K. Babcock, Catherine Amador and Curtis Rindlisbacher on 08/24/2015.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		<b><u>OFF CALENDAR.</u></b> <b><u>First and Final Account and Report of Conservator filed 03/09/2016. Hearing is set for 04/18/2016.</u></b>  <b>Minute Order of 01/06/2016: Counsel requests 30 days due to a lack of bank statements.</b>  1. Need Petition for Termination of Proceedings of Deceased Conservatee or current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.
<b>Cont. from 100715, 111815, 010616</b>		
<b>Aff.Sub.Wit.</b>		
<b>Verified</b>		
<b>Inventory</b>		
<b>PTC</b>		
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>		
<b>Aff.Mail</b>		
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
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<b>Letters</b>		
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>		
<b>Order</b>		
<b>Aff. Posting</b>		
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		
		<b>Reviewed by: LV</b>
	<b>Reviewed on: 03/14/2016</b>	
	<b>Updates:</b>	
	<b>Recommendation:</b>	
	<b>File 3 – Johansen</b>	

**Norma Jeffrey – Guardian/maternal great-grandmother**

**NEEDS/PROBLEMS/  
COMMENTS:**

See petition for details.

Cont. from		
	Aff.Sub.Wit.	
✓	Verified	
	Inventory	
	PTC	
	Not.Cred.	
✓	Notice of Hrg	
✓	Aff.Mail	w/
	Aff.Pub.	
	Sp.Ntc.	
	Pers.Serv.	
	Conf. Screen	
	Letters	
	Duties/Supp	
	Objections	
	Video Receipt	
	CI Report	
	9202	
	Order	X
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
	FTB Notice	

File 4-Garcia

## Probate Status Hearing Re: First Accounting or Petition for Final Distribution

<b>DOD: 10/3/1994</b>	<b>ROBERT L. JOHNSON</b> was appointed Administrator without bond and with Limited IAEA authority on 7/31/12.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
	Letters issued 7/31/12.	<b>Continued from 2/10/16. Minute order states</b> continued in order to allow time for the Administrator to provide bank statements and review the petition.
	I & A filed on 9/11/12 shows an estate valued at \$40,000.00	
<b>Cont. from 100413, 121313, 032814, 072514, 111214, 042215, 060315, 080515, 101415, 120915, 021016</b>	<b>Minute order dated 7/31/12</b> set status hearing on 10/4/13 for the filing of the First Account or Petition for Final Distribution. Minute order indicates Mr. Rindlisbacher was present.	1. <b>Need first account, petition for final distribution or current written status report</b> pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.
<b>Aff.Sub.Wit.</b>		
<b>Verified</b>		<b>Examiner notes</b> Sam Johnson Jr. survived the decedent (petition for probate indicates he died in 2004 or 2005) and declaration filed on 7/23/14 states Sam passed away after the decedent. Therefore, the estate of Sam Johnson Jr. is the other beneficiary of this estate and not his two children.
<b>Inventory</b>		
<b>PTC</b>		<b>Reviewed by: KT</b>
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>	<b>Former Status Report filed on 2/9/16</b> states Robert Johnson's wife has suffered a stroke and he is the primary caretaker for her. He has not been able to deliver to the attorney's office the final bank account statements for the attorney to finalize the account but advised that he would do his best to get them to the attorney this week.	<b>Reviewed on: 3/10/16</b>
<b>Aff.Mail</b>		<b>Updates:</b>
<b>Aff.Pub.</b>		<b>Recommendation:</b>
<b>Sp.Ntc.</b>		<b>File 5 - Johnson</b>
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>	<b>Attorney Rindlisbacher requests a continued status hearing be set for thirty days from now.</b>	
<b>Letters</b>		
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>		
<b>Order</b>		
<b>Aff. Posting</b>		
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		

**Status RE: Filing of the First Account or Petition for Final Distribution**

<b>DOD: 8/24/12</b>		<b>CAROL GOULART</b> , Executor with Full IAEA without bond on 7/8/13.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		Final I&A filed 3/3/14 \$1,850,310.00 consists of various real property interests	<p><u>Note:</u> Petition for Probate in related case 16CEPR00215 Estate of Anthony Angel Teixeira, Jr., is scheduled for hearing on 4/11/16.</p>
<b>Cont. from 101614, 031215, 091615</b>		Executor's First Report of Status was filed 9/5/14.	<p>1. Need petition for final distribution.</p>
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/>	<b>Verified</b>	Executor's Second Report of Status was filed 3/4/15.	
<input type="checkbox"/>	<b>Inventory</b>		
<input type="checkbox"/>	<b>PTC</b>	Executor's Third Report of Status was filed 9/15/15.	
<input type="checkbox"/>	<b>Not.Cred.</b>		
<input type="checkbox"/>	<b>Notice of Hrg</b>	<p><b>Executor's Fourth Report of Status filed 3/9/16 states</b> at the hearing on 3/4/15, the Court approved continued administration based on the Second Report of Status that stated progress was being made in connection with filing delinquent state income tax returns, getting the delinquent income taxes paid, and working toward withdrawal by the FTB of their creditor's claim against the estate. Delay was also due to the heirs of Anthony Teixeira to commence a probate administration for his estate, consisting primarily of the one-half share of this decedent's estate. Anthony was survived by two children.</p>	
<input type="checkbox"/>	<b>Aff.Mail</b>		
<input type="checkbox"/>	<b>Aff.Pub.</b>	Executor reports that she is not yet in a position to close and distribute the estate, but reports that the two children of Anthony have obtained legal counsel to assist them in the probate of their father's estate. See 16CEPR00215.	
<input type="checkbox"/>	<b>Sp.Ntc.</b>		
<input type="checkbox"/>	<b>Pers.Serv.</b>	Two of the four creditor's claims have been barred as reported in prior status reports, and Executor has withdrawn hers. The sole remaining claim is that of the State of California Franchise Tax Board for \$19,399.37 plus interest.	
<input type="checkbox"/>	<b>Conf. Screen</b>		
<input type="checkbox"/>	<b>Letters</b>	<p align="center"><b><u>SEE PAGE 2</u></b></p>	
<input type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input type="checkbox"/>	<b>9202</b>		
<input type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input checked="" type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		

**Reviewed by:** skc

**Reviewed on:** 3/11/16

**Updates:**

**Recommendation:**

**File 6A - Teixeria**

**Page 2**

**Executor states** the a CPA was hired to prepare all delinquent returns, and the tax, penalties and interest have been paid to the FTB. The CPA is working with the FTB to obtain clearance that will cause the FTB to withdraw its creditor's claim as satisfied in full.

Executor previously informed the court that the majority of the owners of certain real property in Santa Clara, in which the estate owns a 1/6 interest, were not interested in selling the real property, and Executor was considering filing a partition action to force a sale. Executor intends to pursue her legal remedies in this matter and at the same time is pursuing a sale of the estate's interest to an individual other than one of the majority owners, who has shown an interest in the fractional share. Economically, however, Petitioner may be faced with having to distribute the Santa Clara property interest in kind between herself and Anthony's estate.

Executor has sufficient funds in the estate to cover the remaining administrative expenses of closing and distributing, so she would be in a position to distribute the real property in kind if a distribution scheme can be worked out with the personal representatives of Anthony's estate once they are appointed.

**Executor states keeping the estate open over the near-term is not harmful to the estate or the beneficiaries and requests administration continue for an additional four months.**



## Amended First Account of Personal Representative

<b>DOD: 3/31/13</b>		<b>HELEN TSANG</b> , Administrator with Will Annexed, is petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		Account period: 10/10/13 – 11/30/15	<p><b>Note:</b> If the petition is granted, status hearings will be set as follows:</p> <ul style="list-style-type: none"> <li><b>Wednesday, September 28, 2016</b> at 9:00 a.m. in Department 303, for the filing of the petition for final distribution.</li> </ul> <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior the date set the status hearing will come off calendar and no appearance will be required.</p>
<b>Cont. from</b>		Accounting - <b>\$1,675,649.53</b>	
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>	Beginning POH - <b>\$1,334,493.28</b>	
<input checked="" type="checkbox"/>	<b>Verified</b>	Ending POH - <b>\$ 959,048.00</b>	
<input checked="" type="checkbox"/>	<b>Inventory</b>	Petitioner states the estate is not in a condition to close because the estate has no cash available to pay for the necessary repairs to its agricultural well as well as any other remaining obligations until the real property can be sold.	
<input checked="" type="checkbox"/>	<b>PTC</b>	On or about 10/5/15, Petitioner entered into a Probate Real Estate listing agreement with Gill Properties, Realtor for the sale of the estate's remaining real property.	
<input checked="" type="checkbox"/>	<b>Not.Cred.</b>	Petitioner states pursuant to a Settlement Agreement by assignment and Quit Claim Deed, she transferred the Decedent's 62.5% interest in Tsang Farms to the surviving partner, Alan Tsang. The Settlement Agreement included the transfer of 100% interest in all creditor's claims related to Tsang Farms.	
<input type="checkbox"/>	<b>Notice of Hrg</b>	N/A	
<input type="checkbox"/>	<b>Aff.Mail</b>		
<input type="checkbox"/>	<b>Aff.Pub.</b>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>		
<input type="checkbox"/>	<b>Pers.Serv.</b>		
<input type="checkbox"/>	<b>Conf. Screen</b>		
<input checked="" type="checkbox"/>	<b>Letters</b>	10/14/13	
<input type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input checked="" type="checkbox"/>	<b>9202</b>		
<input checked="" type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input checked="" type="checkbox"/>	<b>FTB Notice</b>		

**Petitioner prays for an Order:**

1. Approving, allowing and settling the First account;
2. Ratifying, approving, and confirming all acts, transactions, sales, transfers and investments of Petitioner.

**Reviewed by: KT****Reviewed on: 3/11/16****Updates:****Recommendation:****File 7- Tsang**

**Amended First and Final Account Report of Administrators Regarding Estate and Petition for Settlement, Distribution, and Approval**

<b>DOD: 9/28/11</b>		<p><b>ESTELLA GARZA, RAQUEL NANEZ, and ROJELIA GONZALEZ</b>, Co-Executors with Limited IAEA with funds held in blocked account, are Petitioners.</p> <p>Account period: DOD to Present  Accounting: \$310,000.00  Beginning POH: \$310,000.00  Ending POH: \$95,029.13 cash plus real property valued at \$210,000.00</p> <p>Co-Executors waive statutory compensation.</p> <p>Attorney waives statutory compensation.</p> <p>Distribution pursuant to Decedent's will:</p> <ul style="list-style-type: none"> <li>Nicholas Garza Garza: \$9,502.91 plus a 1/10 interest in the real property</li> <li>Rojelia Garza Gonzales: \$9,502.91 plus a 1/10 interest in the real property</li> <li>Estella Garza Garza: \$9,502.91 plus a 1/10 interest in the real property</li> <li>Anna Garza Lopez: \$9,502.91 plus a 1/10 interest in the real property</li> <li>Rachel Garza Nanez: \$9,502.91 plus a 1/10 interest in the real property</li> <li>Alicia Garza Azua: \$9,502.91 plus a 1/10 interest in the real property</li> <li>Delia Garza Gonzalez: \$9,502.91 plus a 1/10 interest in the real property</li> <li>Irasema Garza Gonzalez: \$9,502.91 plus a 1/10 interest in the real property</li> <li>David Garza Garza: \$9,502.91 plus a 1/10 interest in the real property</li> <li>Teodoro Garza Garza: \$9,502.91 plus a 1/10 interest in the real property</li> </ul>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>1. Need written consent from all heirs to distribution of the real property in undivided interests pursuant to Local Rule 7.12.4.</b></p>
<b>Aff.Sub.Wit.</b>			
✓ <b>Verified</b>			
✓ <b>Inventory</b>			
✓ <b>PTC</b>			
✓ <b>Not.Cred.</b>			
✓ <b>Notice of Hrg</b>			
✓ <b>Aff.Mail</b>	W		
<b>Aff.Pub.</b>			
<b>Sp.Ntc.</b>			
<b>Pers.Serv.</b>			
<b>Conf. Screen</b>			
✓ <b>Letters</b>			
<b>Duties/Supp</b>			
<b>Objections</b>			
<b>Video Receipt</b>			
<b>CI Report</b>			
✓ <b>9202</b>			
✓ <b>Order</b>			
<b>Aff. Posting</b>			
<b>Status Rpt</b>			
<b>UCCJEA</b>			
<b>Citation</b>			
✓ <b>FTB Notice</b>			

<b>Reviewed by:</b> skc
<b>Reviewed on:</b> 3/10/16
<b>Updates:</b> 3/14/16
<b>Recommendation:</b>
<b>File 8- Garza</b>

Probate Status Hearing RE: Proof of Bond

		NEEDS/PROBLEMS/COMMENTS:  <p style="text-align: center;"><b><u>OFF CALENDAR</u></b></p> <p>Bond filed 2/8/16; Letters issued 2/8/16</p>
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by:
		Reviewed on:
		Updates:
		Recommendation:
		File 9- Perehoduk

**Amended First and Final Account and Report of Administrator and Petition for its Settlement, for Allowance of Compensation to Administrator and Attorneys for Ordinary Services and Extraordinary Services, for Order Establishing Special Needs Trust for Certain Beneficiaries and for Final Distribution**

DOD: 11/24/11		<b>LEO KERMOYAN</b> , Administrator with Will Annexed with full IAEA with bond of \$479,000.00, is Petitioner.  <b>Account period: 4/22/14 – 8/19/15</b>  Accounting: <b>\$511,355.84</b> Beginning POH: <b>\$450,000.00</b> Ending POH: <b>\$389,385.53</b> (\$372,330.89 cash plus receivables)  Administrator: <b>\$12,305.18</b> (statutory)  Administrator x/o: <b>\$250.00</b> (12.5 hours @ \$20/hr. for preparation of apartment property to be sold)  Attorney: <b>\$12,305.18</b> (statutory)  Attorney x/o: <b>\$9,702.25</b> (6.2 attorney hours @ \$350/hr. and 45.7 paralegal hours @ \$165/hr. for work performed in connection with the sale of apartment property; itemization provided) (See #4)  Costs: <b>\$434.00</b> (publication, certified copies)  Closing: <b>\$5,000.00</b>  <b>Petitioner states</b> Property On Hand consists of \$372,330.89 cash plus receivables from Leo Kermoyan, Kathy V. Kermoyan, and Estate of Rose Kermoyan as set forth on Exhibit E.  Exhibit E reflects that Leo Kermoyan paid various personal expenses totaling \$7,231.13 for himself and \$620.36 for Kathy V. Kermoyan from the estate account including mobile phone, credit card, vehicle expenses.  Exhibit E also reflects that this estate paid expenses totaling \$9,203.16 for the Estate of Rose Kermoyan 15CEPR00620 for expenses associated with the real property that is an asset of that estate.  <b><u>SEE ADDITIONAL PAGES</u></b>	<b>NEEDS/PROBLEMS/ COMMENTS:</b>  <b><u>SEE ADDITIONAL PAGES</u></b>
Aff.Sub.Wit.			
✓ Verified			
✓ Inventory			
✓ PTC			
✓ Not.Cred.			
✓ Notice of Hrg			
✓ Aff.Mail	W		
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
✓ Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
✓ 9202			
✓ Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
✓ FTB Notice			

## Page 2

**Petitioner states** the beneficiaries are Sheryl Kermoyan, sister, Leo Kermoyan, son, Kathy Kermoyan, daughter, and David Kermoyan, son. (*Examiner's Note: The decedent's will devises the residue of the estate to Sheryl and Rose, but states that should either fail to survive administration, then her share passes to her issue. Rose survived the decedent, but not administration, so the heirs are Sheryl and Rose's issue: Leo, Kathy, and David.*)

Petitioner requests the shares of Kathy and David be distributed to the Fresno County Public Guardian as trustee of separate special needs trusts and seeks an order under Probate Code §3402(a)(2) establishing a Special Needs Trust (SNT) for his sister Kathy V. Kermoyan, and a separate SNT for his brother David J. Kermoyan, to receive their respective shares which would otherwise be distributed to them outright.

Petitioner states both beneficiaries receive SSDI, SSI, and Medi-Cal benefits in order to meet their basic needs and outright distribution will result in loss of eligibility unless directed to a SNT. See petition for the beneficiaries' respective qualifications. Attached as Exhibits L and M are the proposed special needs trusts, which Petitioner states comply with applicable law.

**Petitioner requests distribution as follows:**

**Sheryl Kermoyan:** One-half of the estate consisting of \$167,592.89 cash and a share of the receivable owing from the Estate of Rose Kermoyan 15CEPR00620 in the amount of \$4,601.58

**Leo Kermoyan:** One-Sixth of the estate consisting of:

- \$48,633.16 cash;
- Accounts receivable owed by Leo Kermoyan to this estate in the amount of \$7,231.13; and
- A share of the receivable from the Estate of Rose Kermoyan 15CEPR00620 in the amount of \$1,533.86

**Fresno County Public Guardian as Trustee of the Kathy V. Kermoyan Special Needs Trust: One-Sixth of the estate consisting of the following, to be held, administered and distributed in accordance with the terms of the SNT set forth in the order:**

- \$55,243.93 cash;
- Accounts receivable owed by Kathy Kermoyan to this estate in the amount of \$620.36; and
- A share of the receivable from the Estate of Rose Kermoyan 15CEPR00620 in the amount of 1,533.86

**Fresno County Public Guardian as Trustee of the David J. Kermoyan Special Needs Trust: One-Sixth of the estate consisting of the following, to be held, administered and distributed in accordance with the terms of the SNT set forth in the order:**

- \$55,864.30 cash; and
- A share of the receivable from the Estate of Rose Kermoyan 15CEPR00620 in the amount of 1,533.86

**SEE ADDITIONAL PAGES**

## Page 3 – NEEDS/PROBLEMS/COMMENTS:

1. **Special Needs Trusts cannot be established within a decedent's estate.** A separate petition must be filed for each beneficiary under proper authority. Once properly established, Petitioner may request that the Court authorize distribution to the trusts instead of the individuals.
2. Petitioner paid personal expenses totaling \$7,231.13 on his own behalf and personal expenses totaling \$620.36 on behalf of Kathy V. Kermoyan from the estate. Although Petitioner classifies these amounts as "receivables" due from each of them, and calculates these amounts into the final distribution (in essence, deducting these amounts from their respective shares), the Court may strike any language confirming and approving the acts and transactions of Petitioner as Administrator from the order.
3. Similarly, Petitioner paid expenses totaling \$9,203.15 for the Estate of Rose Kermoyan 15CEPR00620 from this estate. Petitioner states at Exhibit E that the expenses were for maintenance of the home jointly owned by William and Rose which passed to Rose upon his death as the surviving joint tenant. However, many of the line item disbursements appear in excess of simple real property maintenance from a decedent's estate, such as newspaper, cable, cell phone, fax, etc., in addition to regular phone and utilities. Need clarification as to how these are appropriate expenses of administration of the Estate of Rose Kermoyan. (Note: The original petition in this estate indicates that Rose did not live there at her death on 2/27/14, but lived at Nazareth House. However, it appears from the itemization that someone may have been residing there, benefitting from receipt of the newspaper, cable, etc., through July 2015.)

Note: If the entire \$9,203.15 paid from this estate on behalf of 15CEPR00620 is not authorized, how will this estate be made whole?

4. No creditor's claim has been filed in 15CEPR00620 on behalf of this estate for payment of the \$9,203.16. Need clarification as to how distribution of the shares of the \$9,203.16 "receivable" due from the Estate of Rose Kermoyan 15CEPR00620, *if authorized pursuant to #3 above in whole or in part*, is to occur if this petition is granted and this estate is closed.

Is Petitioner expecting that these beneficiaries will receive their shares of the receivable directly from 15CEPR00620 when that estate distributes? If so, the Court may require written consent from each beneficiary to receiving a share of distribution of 15CEPR00620 rather than their full share of cash from this estate.

Or, is Petitioner, who is also administrator of 15CEPR00620, expecting to liquidate assets in that estate to eventually pay the \$9,203.16 to himself as administrator of this estate, and then distribute the beneficiaries' respective shares later? If so, it appears this estate may not be in a condition to close yet.

Note: Again, if the entire \$9,203.15 paid from this estate on behalf of 15CEPR00620 is not authorized, how will this estate be made whole?

**SEE ADDITIONAL PAGES**

**Page 4 – NEEDS/PROBLEMS/COMMENTS (Cont'd):**

5. In the prior version of this petition, the attorney requested extraordinary fees of \$9,702.25 in connection with the sale of the real property, as set forth in Exhibit F to that petition.

This amended petition at Paragraph 30 requests, and the proposed order at Paragraph 5 authorizes, extraordinary fees in that same amount, \$9,702.25; however, Exhibit F to this amended petition reflects itemization of an increased amount \$14,702.25 (\$5,000.00 more), and the proposed distribution to the beneficiaries is based on this increased amount per Exhibit H.

Exhibit F explains that additional time was spent in preparing the special needs trusts proposed for two of the beneficiaries to this estate. (This is a new request in the amended petition; the prior version requested outright distribution.)

However, as noted at #1 above, special needs trusts cannot be created and established from a decedent's estate.

Therefore, the Court may disallow these additional extraordinary fees, and revised calculation of the distributive shares may be necessary.

6. With regard to the "receivables" due from the disbursements made on behalf of Leo Kermoyan and Kathy Kermoyan, it appears that, rather than classifying them as "receivables," the Court may require the final order to contain language clarifying that these are not, in fact, receivables, and that each heir's respective share is being reduced by amounts paid on his or her behalf.

<b>DOD: 9/26/13</b>	<p><b>LIANA M. WAITE</b>, Daughter, was appointed Administrator with Will Annexed with Full IAEA without bond on 7/15/14. Letters issued 7/17/14.</p> <p>At the hearing on 7/15/14, the Court set this status hearing re filing the first account or petition for final distribution.</p> <p><b>Status Report filed 9/4/15 states</b> creditor's claims and notices of tax liens have been filed by the California Franchise Tax Board in connection unfiled personal and business tax returns of the decedent from 2010-2012. Administrator believes the tax liabilities will be substantially less than the claimed amounts once returns have been processed. Additional claims have also been filed, secured and unsecured.</p> <p>Administrator describes the assets and states disclaimers have been filed by the various heirs with respect to certain assets. Administrator intends to file a request with the Court for permission to purchase the residential real property of the estate in joint tenancy with her sister. However, the estate is of insufficient value to satisfy all filed creditor's claims and tax liabilities.</p> <p>Administrator has determined that the tax liens/liabilities must be resolved prior to preparation of a final petition, and requests that this matter be continued until late March 2016 for resolution of those tax liabilities.</p> <p><b>Status Report filed 3/8/16</b> provides estate history and states the residence continues to be occupied by the decedent's daughters Liana M. Waite, Dawn M. Waite, and Loriane M. Sena Waite, who have jointly paid all mortgage payments along with all HELOC payments until the loan matured in August 2014. As previously noted, Wells Fargo Bank, NA, a secured creditor, filed a claim for \$49,912.36.</p> <p>Based on the appraised value and the current mortgage of \$98,000 plus the Wells Fargo HELOC creditor's claim for \$49,912.36, the negative equity is approx. \$13,000.</p> <p>The children of the decedent Shaun P. Waite, Shayla J. Waite, Charles D. Waite, and Christian J. Waite, individually signed disclaimers concerning personal property, residential property, and vehicle. Dawn M. Waite signed a disclaimer regarding the residence and vehicle only. Liana M. Waite signed a disclaimer re the vehicle only.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><u><b>SEE ADDITIONAL PAGES</b></u></p>
<b>Cont. from 091615</b>		
<b>Aff.Sub.Wit.</b>		
<b>Verified</b>		
<b>Inventory</b>		
<b>PTC</b>		
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>		
<b>Aff.Mail</b>		
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>		
<b>Letters</b>		
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>		
<b>Order</b>		
<b>Aff. Posting</b>		
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		

SEE ADDITIONAL PAGES



## Page 2

**Status Report filed 3/8/16 (Cont'd):** Probate Code §282(a) arguably contradicts the language of §281. The furniture, furnishings, and effects appraised for \$2,000 mostly concern items over 30 years old in fair condition. Newer appliances have been purchased by the daughters, who have also personally and financially contributed to the care and maintenance of the residence, which has been their family home for over 25 years.

Administrator intends to file a request with the court for permission to purchase the residence with her sister Loriane M. Sena Waite.

The vehicle loan was paid off by Loriane M. Sena Waite and the vehicle was transferred to her under the Family Transfer Guidelines of the Dept. of Motor Vehicles.

The remaining assets appraised for \$357.35 concern the Wells Fargo personal and business checking accounts of the decedent. The estate has insufficient assets to satisfy the creditor claims and the personal and professional corporation tax liabilities.

Attorney Barbara A. Sena had several client cases from her law practice which were pending at her time of death. The Administrator was recently advised that some are nearing settlement and liens will be submitted on behalf of the estate with the Fresno County Workers' Compensation Appeals Board. Based on the foregoing, Administrator has determined that these client cases, along with the federal and state tax liens and/or liabilities, must be resolved prior to preparation of the petition for final distribution.

**SEE ADDITIONAL PAGES**

Page 3

NEEDS/PROBLEMS/COMMENTS: The following issues remain noted. Note: #3 is new:

1. Need first account or petition for final distribution.
2. Examiner notes the following additional details with regard to the status report filed 9/4/15:

The intestate heirs to this estate *would have been* the decedent's seven children. However, the status report describes that various heirs have disclaimed their interest in certain assets of the estate, some disclaiming their interest in all assets.

First, Examiner is unaware of authority for disclaiming interest in only certain assets.

Second, pursuant to Probate Code §282, the issue of the various disclaimants are now heirs to the estate in their place.

Also, Administrator also describes that the estate consists of a residence valued at \$135,000 (encumbered for \$100,000) a vehicle valued at \$3,000 (subject to a secured loan for \$4,700), and misc. personal property, and states that the estate is insufficient to satisfy the various claims.

Three of the decedent's daughters reside in the home and intend to purchase it upon court authorization. Administrator does not indicate if they are paying rent to the estate.

Administrator states the vehicle loan was paid off by one of the daughters, and she is in the process of transferring the vehicle to that daughter under DMV guidelines. The Court may require clarification or authority for this proposed action, given the numerous claims against the estate.

Further, it appears that some of the creditor's claims may have been paid in full, while others remain unpaid. First, Administrator is referred to Probate Code §9000 et seq., with regard to the process for approving or denying claims. The Court may require clarification with reference to Probate Code §11420(b) with regard to debt priority classes.

In light of the above, Administrator may wish to review proposed actions with applicable Probate Code and duties.

3. New: Administrator's status report of 3/8/16 indicates client cases pending in connection with the decedent's law practice. The Court may require clarification as to whether practice administration under Probate Code §9764 was considered or may be appropriate.

Report of Sale and Petition for Order Confirming Sale of Real Property

		<b>KENNETH KEARNS</b> , Conservator with bond of \$95,416.00, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		Sale price: \$175,000.00	<b>Note:</b> The Court will set a status hearing for the filing of the additional bond in the amount of \$165,000.00 as follows: • Monday, April 18, 2016
		Overbid: \$184,250.00	
	Aff.Sub.Wit.	Appraisal: \$190,000.00	<b>Note:</b> An additional Report of Sale and Petition for Order Confirming Sale of Real Property re 4551 N. Fruit in Fresno is also set for Monday April 18, 2016.  <b>Note:</b> The hearing on the Public Guardian's First and Final Account as Temporary Conservator was continued to Monday May 2, 2016.
✓	Verified	Property: 4552 N. Delno, Fresno, 93705	
	Inventory	Buyer: Jesse Lichaa	
	PTC	Broker: 2.5% or \$4,375.00 payable to Guarantee Real Estate.	
	Not.Cred.	See petition re terms of sale.	
✓	Notice of Hrg	Petitioner states additional bond of \$165,000.00 will be needed.	
✓	Aff.Mail		
✓	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen	<b>Supplement to Report of Sale filed 3/4/16 state</b> the original sale agreement was for \$185,000.00; however, after inspection, the offer was rescinded. To retain the sale, the price was reduced to \$175,000.00, and commission was also reduced from 5% because buyer is a real estate agent and principal of buyer's firm and has agreed to waive commission. See Declaration of Jeff Starbuck, agent with listing brokerage Guarantee Real Estate for additional details regarding the condition of the property and negotiation of the purchase price.	
✓	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
✓	Order		<b>Reviewed by:</b> skc
✓	Aff. Posting		<b>Reviewed on:</b> 3/10/16
	Status Rpt		<b>Updates:</b>
	UCCJEA		<b>Recommendation:</b>
	Citation		<b>File 12- Walters</b>
	FTB Notice		

**Probate Status Hearing Re: Filing of the Inventory & Appraisal**

<b>DOD: 5/26/2015</b>			<b>JOHN DARK</b> , Trustee of the <b>BARBARA E. SIMMONS DARK FAMILY TRUST</b> (a judgment creditor of Decedent), was appointed Administrator with Full IAEA authority with bond of <b>\$55,000.00</b> on 10/22/2015.  <b>Proof of Bond in the sum of \$55,000.00</b> was filed on 11/10/2015.  <b>Letters issued on 11/13/2015.</b>  <b>Pursuant to Probate Code § 8800(b), Final Inventory and Appraisal</b> was due <b>3/13/2016</b> .  <b>Minute Order dated 10/22/2015</b> from the hearing on the amended petition for letters of administration set the matter for a Status Hearing on 3/16/2016 for filing of the final inventory and appraisal.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  1. Need <i>Final Inventory and Appraisal</i> pursuant to Probate Code § 8800(b), or verified Status Report and proof of service of notice of the Status Hearing pursuant to Local Rule 7.5(B).
<b>Cont. from</b>				
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>	<input type="checkbox"/>		
<input type="checkbox"/>	<b>Verified</b>	<input type="checkbox"/>		
<input type="checkbox"/>	<b>Inventory</b>	<input checked="" type="checkbox"/>		
<input type="checkbox"/>	<b>PTC</b>	<input type="checkbox"/>		
<input type="checkbox"/>	<b>Not.Cred.</b>	<input type="checkbox"/>		
<input type="checkbox"/>	<b>Notice of Hrg</b>	<input type="checkbox"/>		
<input type="checkbox"/>	<b>Aff.Mail</b>	<input type="checkbox"/>		
<input type="checkbox"/>	<b>Aff.Pub.</b>	<input type="checkbox"/>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>	<input type="checkbox"/>		
<input type="checkbox"/>	<b>Pers.Serv.</b>	<input type="checkbox"/>		
<input type="checkbox"/>	<b>Conf. Screen</b>	<input type="checkbox"/>		
<input type="checkbox"/>	<b>Letters</b>	<input type="checkbox"/>		
<input type="checkbox"/>	<b>Duties/Supp</b>	<input type="checkbox"/>		
<input type="checkbox"/>	<b>Objections</b>	<input type="checkbox"/>		
<input type="checkbox"/>	<b>Video Receipt</b>	<input type="checkbox"/>		
<input type="checkbox"/>	<b>CI Report</b>	<input type="checkbox"/>		
<input type="checkbox"/>	<b>9202</b>	<input type="checkbox"/>		
<input type="checkbox"/>	<b>Order</b>	<input type="checkbox"/>		
<input type="checkbox"/>	<b>Aff. Posting</b>	<input type="checkbox"/>		
<input type="checkbox"/>	<b>Status Rpt</b>	<input type="checkbox"/>		
<input type="checkbox"/>	<b>UCCJEA</b>	<input type="checkbox"/>		
<input type="checkbox"/>	<b>Citation</b>	<input type="checkbox"/>		
<input type="checkbox"/>	<b>FTB Notice</b>	<input type="checkbox"/>		

## Petition to Approve Compromise of Disputed Claim

<b>DOD: 9/16/11</b>		<b>VERA IVANOVANA SHELEST</b> , Administrator, is petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		<b>Petitioner requests</b> authorization of this Court to compromise and settle a disputed claim for the wrongful death of the decedent. Decedent, Lyudmila Leonidovna Shelest died as a result of her losing control of her vehicle and hitting a tree. Her airbags did not deploy on impact and when firefighters arrived no treatment was given as her injury resulted in her death.	1. Petition requests \$1,724,503.20 be ordered distributed to the estate. The proposed order has \$1,717,003.20 being distributed to the estate. Examiner has interlineated the order to reflect the amount prayed for in the petition (\$1,724,503.20).
<b>Cont. from</b>			
	<b>Aff.Sub.Wit.</b>		
✓	<b>Verified</b>		
	<b>Inventory</b>		
	<b>PTC</b>		
	<b>Not.Cred.</b>		
✓	<b>Notice of Hrg</b>		
✓	<b>Aff.Mail</b>	W/	
	<b>Aff.Pub.</b>		
	<b>Sp.Ntc.</b>		
	<b>Pers.Serv.</b>		
	<b>Conf. Screen</b>		
	<b>Letters</b>		
	<b>Duties/Supp</b>		
	<b>Objections</b>		
	<b>Video Receipt</b>		
	<b>CI Report</b>		
	<b>9202</b>		
✓	<b>Order</b>	<b>The settlement offer is \$2,550,740.00</b>	
	<b>Aff. Posting</b>		<b>Reviewed by: KT</b>
	<b>Status Rpt</b>		<b>Reviewed on: 3/11/16</b>
	<b>UCCJEA</b>		<b>Updates:</b>
	<b>Citation</b>		<b>Recommendation:</b>
	<b>FTB Notice</b>		<b>File 14- Shelest</b>
		The Defendant has not offered to pay money to any other person or persons other than the decedent to settle claims arising out of the same incident or accident that resulted in Decedent's death.	
		<b>Please see additional page</b>	

**14 Lyudmila Leonidovna Shelest (Estate) Case No. 15CEPR00806**

The Petitioner was represented by Attorney Michael A. Pohl of Houston TX. The attorney has not received attorney's fees or other compensation for services rendered in connection with negotiating the proposed settlement although he will be receiving compensation and reimbursement of expenses out of the proposed settlement proceeds.

Petitioner requests that the Law Offices of Michael A. Pohl be allowed compensation and reimbursement of costs advanced as follows:

Attorney's Fees	-	<b>\$816,236.80</b>	(32% of the gross settlement, per written fee agreement)
Costs	-	<b>\$ 6,228.71</b>	(police report, car fax, FedEx, consulting fees, expert witness fees)

**Net Proceeds to Petitioner: \$1,724,503.20**

**Petitioner requests** that the balance of the proceeds of the settlement be ordered distributed to her as Administrator of the estate of Lyudmila Leonidovna Shelest to be administered as part of said estate.

Attorney Deborah K. Boyett (Petitioner)

**Petition for Order Fixing and Allowing Court-Appointed Attorneys' Fees  
and Termination of Court-Appointed Attorney; Declaration of Deborah K.  
Boyett in Support**

		<p><b>DEBORAH BOYETT</b>, Court-appointed Attorney for Conservatee appointed on 9/15/2015, is Petitioner.</p> <p><b>PUBLIC GUARDIAN</b> was appointed Conservator of the Person and Estate on 12/3/2015.</p> <p><b>Petitioner requests:</b></p> <ul style="list-style-type: none"> <li>The payment of fees from the conservatorship estate in connection with the representation of the Conservatee for the Public Guardian's petition to appoint a conservator from the period of <b>9/14/2015 through 2/8/2016.</b></li> <li>That she be paid for <b>23.70 hours, including 1.0 hour of anticipated time for appearance at Court [on 3/16/2016] in connection with this Petition, at \$275.00 per hour for a total of \$6,792.50;</b></li> <li>That she be reimbursed <b>\$435.00</b> for the filing fee for this petition, for a grand total of <b>\$7,227.50;</b> and</li> <li>That her appointment be terminated and she be discharged as attorney for the Conservatee, as her services are no longer needed in this case.</li> </ul> <p>Services are itemized by date and include consultations with Court Investigator, County Counsel and other counsel in related matters (wrongful death suit, objections); review and draft of reports and documents; visits with client and her family; and court appearances.</p>	<b>NEEDS/PROBLEMS/COMMENTS:</b>	
<b>Cont. from</b>				
	<b>Aff.Sub.Wit.</b>			
✓	<b>Verified</b>			
	<b>Inventory</b>			
	<b>PTC</b>			
	<b>Not.Cred.</b>			
✓	<b>Notice of Hrg</b>			
✓	<b>Aff.Mail</b>			W/
	<b>Aff.Pub.</b>			
	<b>Sp.Ntc.</b>			
	<b>Pers.Serv.</b>			
	<b>Conf. Screen</b>			
	<b>Letters</b>			
	<b>Duties/Supp</b>			
	<b>Objections</b>			
	<b>Video Receipt</b>			
	<b>CI Report</b>			
	<b>9202</b>			
✓	<b>Order</b>			
	<b>Aff. Posting</b>			
	<b>Status Rpt</b>			
	<b>UCCJEA</b>			
	<b>Citation</b>			
	<b>FTB Notice</b>			
			<p><b>Reviewed by:</b> LEG</p> <p><b>Reviewed on:</b> 3/11/16</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 15- Madrigal</b></p>	

Attorney J. Patrick Sullivan, of Visalia (for Petitioner Leonard J. Garcia)

Amended Petition for Probate of [Lost] Will and For Letters Testamentary;  
Authorization to Administer under IAEA

DOD: 7/13/2015		<b>LEONARD J. GARCIA</b> , son and Successor Trustee of the <b>LEONARD L. GARCIA LIVING TRUST</b> and named Executor without bond, is Petitioner. <i>(Will names executor as the then-acting Trustee of the Trust.)</i>	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <u>Continued from 2/10/2016.</u> Minute Order states written objections are to be filed no later than 3/1/2016, or Jennie Garcia will waive her right to be heard.  <b>Note:</b> Court records show no objections have been filed as of 3/11/2016.  <b>The following issues from the last hearing remain:</b>  1. <i>Petition</i> states the location of the original Will is unknown to the Petitioner, and that it may be in possession of Decedent's spouse, <b>JENNIE GARCIA</b> . <i>Petition</i> does not indicate any efforts to obtain Decedent's original Will. Probate Code § 6124 provides if the testator's Will was last in the testator's possession, the testator was competent until death, and neither the Will nor a duplicate original of the Will can be found after the testator's death, it is presumed that the testator destroyed the Will with intent to revoke it. This presumption is a presumption affecting the burden of producing evidence. Need additional information in order for the Court to determine whether the presumption of destruction of the Will is overcome.  ~Please see additional page~
Cont. from 121615, 021016			
Aff.Sub.Wit.	S/P		
✓ Verified			
Inventory			
PTC			
Not.Cred.			
✓ Notice of Hrg			
✓ Aff.Mail	W/		
✓ Aff.Pub.			
Sp.Ntc.		Full IAEA: OK  [Lost] Will Dated: 8/22/2013  Residence: Riverdale Publication: Business Journal  <u>Estimated value of the Estate:</u> Real property - \$200,000.00 Personal property - \$ 5,000.00 Total - \$205,000.00  Probate Referee: Steven Diebert	
Pers.Serv.			
Conf. Screen			
Letters	X		
✓ Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
✓ Order			
Aff. Posting		Reviewed by: LEG Reviewed on: 3/11/16 Updates: Recommendation: File 16 - Garcia	
Status Rpt			
UCCJEA			
Citation			
FTB Notice			



**NEEDS/PROBLEMS/COMMENTS, continued:**

2. Probate Code § 8223 provides a petition for probate of a lost or destroyed will shall include a written statement of the testamentary words or their substance. Petitioner attaches a copy of Decedent's Will dated 8/22/2013. If the Will is proved and determine lost, the provisions of the Will shall be set forth in the order admitting the will to probate. Pursuant to Probate Code § 8223, need revised proposed order containing the provisions of the lost Will (i.e., a copy of the Will attached to the order with signature line included on the last page of the Will for the Court's approval.) Proposed order submitted on 3/9/2016 does not contain the provisions of the lost will, thus if Petitioner is no longer seeking admission of the lost Will, Petitioner will need to amend the petition again to request appointment as administrator rather than executor.
3. Proposed letters submitted by Petitioner appear to contain a photocopy of Petitioner's signature, and it does not appear they were lodged by fax or electronically, allowing for acceptability of non-original signature on letters. Need proposed letters containing original signature of Petitioner.

**Note: If *Petition* is granted, Court will set Status Hearings as follows:**

- **Monday, August 15, 2016 at 9:00 a.m. in Dept. 303 for the filing of the final inventory and appraisal; and**
- **Monday, May 15, 2017 at 9:00 a.m. in Dept. 303 for the filing of the first account and/or petition for final distribution.**

**Pursuant Local Rule 7.5, if the documents noted above are filed 10 days prior to the dates listed, the hearings will be taken off calendar and no appearance will be required.**



## Petition for Appointment of Probate Conservator

		<b><u>TEMPORARY EXPIRES 3/16/16</u></b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		<b>DENISE GEORGETTE CHISUM</b> , daughter, is petitioner	
		Please see petition for details.	
<b>Cont. from 021016</b>		<b>Court Investigator Report filed on 2/3/16</b>	
	<b>Aff.Sub.Wit.</b>		
✓	<b>Verified</b>		
	<b>Inventory</b>		
	<b>PTC</b>		
	<b>Not.Cred.</b>		
✓	<b>Notice of Hrg</b>		
✓	<b>Aff.Mail</b>		
✓	<b>Aff.Pub.</b>	W/	
	<b>Sp.Ntc.</b>		
✓	<b>Pers.Serv.</b>	W/	
✓	<b>Conf. Screen</b>		
✓	<b>Letters</b>		
✓	<b>Duties/Supp</b>		
	<b>Objections</b>		
✓	<b>Video Receipt</b>		
✓	<b>CI Report</b>		
	<b>9202</b>		
✓	<b>Order</b>		
	<b>Aff. Posting</b>		
	<b>Status Rpt</b>		
	<b>UCCJEA</b>		
✓	<b>Citation</b>		
	<b>FTB Notice</b>		
			<b>Reviewed by: KT</b>
			<b>Reviewed on: 3/10/16</b>
			<b>Updates:</b>
			<b>Recommendation:</b>
			<b>File 17- Chisum</b>

## Petition for Appointment of Probate Conservator of the Person

See petition for details.			NEEDS/PROBLEMS/ COMMENTS:
Cont. from 021016			
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail	W	
	Aff.Pub.		
	Sp.Ntc.		
✓	Pers.Serv.	W	
✓	Conf. Screen		
✓	Letters		
✓	Duties/Supp		
	Objections		
✓	Video Receipt		
✓	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
✓	Citation		
	FTB Notice		
			Court Investigator advised rights on 2/1/16
			Voting rights affected – need minute order.
			<u>Minute Order 2/10/16:</u> Petitioner represents that CVRC has agreed to have the capacity declaration completed by an appropriate person.
			As of 3/10/16, nothing further has been filed. The following issue remains noted:
			1. The Capacity Declaration is not executed by a licensed physician or psychologist as required by Probate Code §1890(c). The Court may require a new capacity declaration.
			Reviewed by: skc
			Reviewed on: 3/10/16
			Updates:
			Recommendation:
			File 18- Hernandez

## Petition to Determine Succession to Real Property

DOD: 11/13/2015		<b>NEEDS/PROBLEMS/COMMENTS:</b>  <u><b>Continued to 3/30/2016</b></u> @ request of counsel
Cont. from		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: SEF
		Reviewed on: 3/10/2016
		Updates:
		Recommendation:
		File 22- Busby

## Petition for Probate of Will and for Letters Testamentary: Authorization to Administer

Under the IAEA

<b>DOD: 1/26/2016</b>		<b>GLEND A ELLIOTT and LEONARD SUAMUELSON</b> , named executors are petitioners and request appointment with full IAEA without bond  All heirs waive bond  Full IAEA – o.k.  Holographic will dated 7/4/2011  Residence: Kingsburg Publication: Kingsburg Recorder	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>Note:</b> If granted, the Court will set status hearings as follows: <ul style="list-style-type: none"> <li>• <b>Tuesday, August 16, 2016</b> for filing Inventory and Appraisal</li> <li>• <b>Tuesday, May 16, 2017</b> for filing the first account or petition for final distribution</li> </ul> Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.
<b>Cont. from</b>			
✓	<b>Holog. Instr.</b>		
✓	<b>Verified</b>		
	<b>Inventory</b>		
	<b>PTC</b>		
	<b>Not.Cred.</b>		
✓	<b>Notice of Hrg</b>		
✓	<b>Aff.Mail</b> w/		
✓	<b>Aff.Pub.</b>		
	<b>Sp.Ntc.</b>	<b>Estimated value of the estate:</b> Personal property \$ 1,000.00 Annual gross income \$ 0.00 Real property \$ 177,000.00 <b>Total \$ 178,000.00</b>  <b>Probate referee: Steven Diebert</b>	
	<b>Pers.Serv.</b>		
	<b>Conf. Screen</b>		
✓	<b>Letters</b>		
✓	<b>Duties/Supp</b>		
	<b>Objections</b>		
	<b>Video Receipt</b>		
	<b>CI Report</b>		
	<b>9202</b>		
✓	<b>Order</b>		
	<b>Aff. Posting</b>	<b>Reviewed by: SEF</b> <b>Reviewed on: 3/10/2016</b> <b>Updates:</b> <b>Recommendation: SUBMITTED</b> <b>File 23- Samuelson</b>	
	<b>Status Rpt</b>		
	<b>UCCJEA</b>		
	<b>Citation</b>		
	<b>FTB Notice</b>		

## Petition to Determine Succession to Real Property

<b>DOD: 9/13/2013</b>		<b>ELIZABETH FINA-JUMP (spouse)</b> <b>JONATHAN JUMP (son)</b> <b>ANTHONY JUMP (son)</b> are petitioners  40 days since DOD  No other proceedings  I&A - <b>\$75,000</b> (Real property in Selma, CA)  Decedent died intestate  Petitioners request Court determination that decedent's 100% in real property located at 8583 East Khan Street, Selma CA pass to them in equal 1/3 <sup>rd</sup> shares pursuant to intestate succession.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
<b>Cont. from</b>			
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/>	<b>Verified</b>		
<input checked="" type="checkbox"/>	<b>Inventory</b>		
<input type="checkbox"/>	<b>PTC</b>		
<input type="checkbox"/>	<b>Not.Cred.</b>		
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>		
<input checked="" type="checkbox"/>	<b>Aff.Mail</b> w/		
<input type="checkbox"/>	<b>Aff.Pub.</b>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>		
<input type="checkbox"/>	<b>Pers.Serv.</b>		
<input type="checkbox"/>	<b>Conf. Screen</b>		
<input type="checkbox"/>	<b>Letters</b>		
<input type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input type="checkbox"/>	<b>9202</b>		
<input checked="" type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		
			<b>Reviewed by:</b> SEF
			<b>Reviewed on:</b> 3/10/2016
			<b>Updates:</b>
			<b>Recommendation:</b> SUBMITTED
			<b>File 24- Jump</b>

## Petition for Probate of Will and for Letters Testamentary with IAEA

<b>DOD: 12/9/2015</b>		<b>DONNA HENDRICK</b> , named executor without bond is petitioner	<b>NEEDS/PROBLEMS/COMMENTS:</b>  1. Item 5(a)(2)(b) of petition states spouse deceased. Need name and date of death of spouse pursuant to Local Rule 7.1.1D  <b>Note:</b> If granted, the Court will set status hearings as follows: <ul style="list-style-type: none"> <li>• <b>Tuesday, August 16, 2016</b> for filing Inventory and Appraisal</li> <li>• <b>Tuesday, May 16, 2017</b> for filing the first account or petition for final distribution</li> </ul> Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.	
		Full IAEA – o.k.		
		Will dated 9/21/2001		
<b>Cont. from</b>		Residence: Fresno		
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>	s/p		Publication: Business Journal
<input checked="" type="checkbox"/>	<b>Verified</b>			
<input type="checkbox"/>	<b>Inventory</b>			
<input type="checkbox"/>	<b>PTC</b>			
<input type="checkbox"/>	<b>Not.Cred.</b>			
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>			
<input checked="" type="checkbox"/>	<b>Aff.Mail</b>	w/o		
<input checked="" type="checkbox"/>	<b>Aff.Pub.</b>			
<input type="checkbox"/>	<b>Sp.Ntc.</b>			
<input type="checkbox"/>	<b>Pers.Serv.</b>			
<input type="checkbox"/>	<b>Conf. Screen</b>			
<input checked="" type="checkbox"/>	<b>Letters</b>			
<input checked="" type="checkbox"/>	<b>Duties/Supp</b>			
<input type="checkbox"/>	<b>Objections</b>			
<input type="checkbox"/>	<b>Video Receipt</b>			
<input type="checkbox"/>	<b>CI Report</b>			
<input type="checkbox"/>	<b>9202</b>			
<input checked="" type="checkbox"/>	<b>Order</b>			
<input type="checkbox"/>	<b>Aff. Posting</b>			
<input type="checkbox"/>	<b>Status Rpt</b>			
<input type="checkbox"/>	<b>UCCJEA</b>			
<input type="checkbox"/>	<b>Citation</b>			
<input type="checkbox"/>	<b>FTB Notice</b>			
<b>Estimated value of the estate:</b> Personal property           \$ 41,000.00 Annual gross income       \$ 400.00 Real property               \$ 115,000.00 <b>Total                           \$ 156,400.00</b>				
<b>Probate referee: Rick Smith</b>				
			<b>Reviewed by:</b> SEF <b>Reviewed on:</b> 3/10/2016 <b>Updates:</b> 3/11/2016 <b>Recommendation:</b> <b>File 25- Clark</b>	



**26A Ariel Golden, Dallas Kerns, Dylan Kerns & Dwayne McCoy (GUARD/P)**  
**Case No. 09CEPR00065**

Petitioner English, Anita Rachell (Pro Per – Mother)  
Guardian Crawford, Aneglita (Pro Per)

Ex Parte Petition for Termination of Guardianship of DeWayne McCoy, Jr. (Only), In the  
Alternative Modification of Parenting Time (Visitation Time); and Application for Issuance of Subpoena

Dallas age: 10	ANITA R. ENGLISH, mother, is petitioner.		NEEDS/PROBLEMS/COMMENTS:
Dylan age: 6			
Dewayne age: 3			26B is the Status Hearing re: Registration at CSS.
Cont. from 030916			Note: This petition pertains to DeWayne McCoy, Jr. only.
Aff.Sub.Wit.			<p>Minute Order of 03/09/2016: The Court orders that the current order of supervised visitation for 2hrs per week for Anita English at an agency remains, except as to the agency, which shall now be Child Supportive Services. Ms. English and Angelita Crawford are both ordered to report to CSS within one week and bring proof of registration to the hearing on 03/16/2016. The Ex Parte petition is denies as to the request for termination and as to the application for issuance of subpoena.</p> <ol style="list-style-type: none"> <li>1. Need Notice of Hearing.</li> <li>2. Need proof of service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Termination of Guardian for: <ul style="list-style-type: none"> <li>• Dewayne McCoy (Father)</li> <li>• Angelita Crawford (Guardian)</li> </ul> </li> </ol> <p><b>Note:</b> Angelita Crawford was not served with a Notice of Hearing which includes date, time and location of hearing date.</p> <ul style="list-style-type: none"> <li>• Paternal Grandparents (Not Listed)</li> <li>• James English (Maternal Grandfather)</li> </ul>
✓ Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg	x		
Aff.Mail	x		
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
✓ CI Report			
9202			
Order		x	
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
			Reviewed by: LV
			Reviewed on: 03/14/2016
			Updates:
			Recommendation:
			File 26A- Golden/ Kerns/ McCoy

**26B Ariel Golden, Dallas Kerns, Dylan Kerns & Dwayne McCoy (GUARD/P)**  
**Case No. 09CEPR00065**

**Petitioner** English, Anita Rachell (Pro Per – Mother)  
**Guardian** Crawford, Angelita (Pro Per)

**Probate Status Hearing RE: Proof of Registration at CSS.**

<b>Dewayne age: 3</b>	<p><b>ANITA R. ENGLISH</b>, mother, filed an Ex Parte Petition for Termination of Guardianship of DeWayne McCoy, Jr. (Only), Or In the Alternative Modification of Parenting Time.</p> <p><b>ANGELITA CRAWFORD</b>, maternal grandmother, was appointed guardian of Ariel on 4/22/2009 and was appointed guardian of Dallas, Dylan and Dwayne on 1/12/13.</p> <p><b>Minute Order of 03/09/2016</b> set this Status Hearing re: Proof of Registration at Child Supportive Services. Minute Order states: The Court orders that the current order of supervised visitation for 2hrs per week for Anita English at an agency remains, except as to the agency, which shall now be Child Supportive Services. Ms. English and Angelita Crawford are both ordered to report to CSS within one week and bring proof of registration to the hearing on 03/16/2016. The Ex Parte petition is denies as to the request for termination and as to the application for issuance of subpoena.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>1. Need Proof of Registration at Child Supportive Services.</p>
<b>Cont. from</b>		
<b>Aff.Sub.Wit.</b>		
<b>Verified</b>		
<b>Inventory</b>		
<b>PTC</b>		
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>		
<b>Aff.Mail</b>		
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>		
<b>Letters</b>		
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>		
<b>Order</b>		
<b>Aff. Posting</b>		
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		
		<p><b>Reviewed by:</b> LV</p> <p><b>Reviewed on:</b> 03/14/2016</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 26B- Kerns/ McCoy</b></p>

**26B**